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11 *Attorney for Defendant*

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 CITIZENS FOR PENNSYLVANIA'S
15 FUTURE, *et al.*,

16 Plaintiffs,

17 v.

18 ANDREW R. WHEELER, in his official
19 capacity as the Administrator of the United
20 States Environmental Protection Agency,

21 Defendant.

Case No. 3:19-cv-02004-VC

22 **JOINT STIPULATION TO**
23 **CONTINUE CASE MANAGEMENT**
24 **CONFERENCE AND ASSOCIATED**
25 **DEADLINES AND [PROPOSED]**
26 **ORDER**

1 Plaintiffs Citizens for Pennsylvania's Future, Gasp, Louisiana Bucket Brigade, and
2 Sierra Club (collectively, "Plaintiffs") and Defendant Andrew R. Wheeler, in his official
3 capacity as the Administrator of the United States Environmental Protection Agency
4 (hereinafter "EPA") (collectively, the "Parties"), respectfully submit this stipulation as
5 follows:

6 WHEREAS, on April 15, 2019, Plaintiffs filed the above-entitled action (Dkt. No. 1);

7 WHEREAS, on April 16, 2019, Plaintiffs served the Summons and Complaint in this
8 matter on Defendant (Dkt. No. 11);

9 WHEREAS, the United States Attorney's Office was served with the Summons and
10 Complaint on April 22, 2019;

11 WHEREAS, Defendant filed an Answer to the Complaint on June 14, 2019 (Dkt. No.
12 14);

13 WHEREAS, the Court's Order Setting Initial Case Management Conference and ADR
14 Deadlines ("Scheduling Order") set the Initial Case Management Conference in this matter for
15 July 16, 2019 at 1:30 p.m. (Dkt. No. 10);

16 WHEREAS, the Parties met and conferred on ADR and scheduling on June 13, 2019;

17 WHEREAS, the Parties have agreed to seek a continuance of the deadlines in the current
18 scheduling order to allow them to assess whether to engage in settlement discussions, and – if so
19 – to engage in such discussions;

20 NOW, THEREFORE, the Parties stipulate to and respectfully request that the Court enter
21 an order continuing the pending deadlines for approximately ninety (90) days as follows:

- 22 1. The Initial Case Management Conference shall be continued to Wednesday
23 September 18, 2019 at 10:30 a.m., or at such later date that is convenient for the
24 Court, in order to give the Parties a chance to assess the potential for and possibly
25 begin settlement negotiations without involving the resources of the Court.
 - 26 2. The Parties' ADR certifications shall be filed no later than twenty-one (21) days
27 in advance of the Initial Case Management Conference.
- 28

1 3. The Parties' Rule 26(f) Report and Joint Case Management Statement shall be
2 filed no later than seven (7) days in advance of the Initial Case Management
3 Conference.

4 4. The Parties' initial disclosures or objections in their Rule 26(f) Report shall be
5 filed no later than seven (7) days in advance of the Initial Case Management
6 Conference.

7
8 Date: June 24, 2019

9
10 /s/ Tosh Sagar

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17 /s/ Sydney Menees

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23 *Attorney for Defendant*
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[PROPOSED] ORDER

Pursuant to stipulation and for good cause shown, the deadlines set forth in the Order of April 16, 2019 (Dkt. No. 10) are hereby continued as follows:

1. The Initial Case Management Conference shall be continued to Wednesday September 18, 2019 at 10:30 a.m., or at such later date that is convenient for the Court, in order to give the Parties a chance to assess the potential for and possibly begin settlement negotiations without involving the resources of the Court.
2. The Parties' ADR certifications shall be filed no later than twenty-one (21) days in advance of the Initial Case Management Conference.
3. The Parties' Rule 26(f) Report and Joint Case Management Statement shall be filed no later than seven (7) days in advance of the Initial Case Management Conference.
4. The Parties' initial disclosures or objections in their Rule 26(f) Report shall be filed no later than seven (7) days in advance of the Initial Case Management Conference.

IT IS SO ORDERED.

Date: _____

VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE